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23M170617
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E:	BAKER, S.
EXAMINER	
BAKER, S.	
ART UNIT	PAPER NUMBER

23M6
DATE MAILED: 06/17/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on 6/7/94 This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice of Draftsman's Patent Drawing Review, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474.
6.

Part II SUMMARY OF ACTION

1. Claims 7,9-13,15 and 17-70 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims 7,9-11,13,15 and 17-70 are rejected.

5. Claims 12 are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. Formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).

12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other

EXAMINER'S ACTION

1. This is supplemental to the Office action mailed May 13, 1994 and is responsive to the request for a complete action submitted June 7, 1994.

2. The examiner apologizes for not specifically responding to the arguments regarding patentability of the claims over the prior art raised by applicant in the amendment submitted July 13, 1993.

The period for response set in the previous Office action is set to expire three months from the date of this supplemental Office action."

3. Claims 7, 9-11, 13, 15, 17-23, and 25-70 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 7: in lines 22-23, "not smaller but" is redundant and should therefore be deleted; in lines 27-29, "internal supply voltage becomes larger without decreasing in proportion to an enlargement of said magnitude of said external supply voltage" is vague, confusing and apparently misdescriptive and should apparently read as "internal supply voltage up to said third rate becomes larger without decreasing as the magnitude of said external supply voltage increases".

In claim 13: in lines 21-22, "not smaller but" is redundant and should therefore be deleted; in line 23, a comma should apparently follow "rate"; in lines 26-28, "internal supply voltage becomes larger without decreasing in proportion to an enlargement of said magnitude of said external supply voltage" is vague, confusing and apparently misdescriptive and should apparently read as "internal supply voltage up to said third rate becomes larger without decreasing as the magnitude of said external supply voltage increases".

In claim 19: in line 4, "provide don" should apparently read as "provided on"; in line 12, "at as" should apparently read as "at a".

In claim 20: in lines 27-28, "not smaller but" is redundant and should therefore be deleted; in lines 32-34, "internal supply voltage becomes larger without decreasing in proportion to an enlargement of said magnitude of said external supply voltage" is

vague, confusing and apparently misdescriptive and should apparently read as "internal supply voltage up to said third rate becomes larger without decreasing as the magnitude of said external supply voltage increases".

In claim 21: in line 17, "thereto" should apparently be preceded by "fed"; in line 31, "not smaller but" is redundant and should therefor be deleted; in lines 35-37, "internal supply voltage becomes larger without decreasing in proportion to an enlargement of said magnitude of said external supply voltage" is vague, confusing and apparently misdescriptive and should apparently read as "internal supply voltage up to said third rate becomes larger without decreasing as the magnitude of said external supply voltage increases".

In claim 22: in line 33, "not smaller but" is redundant and should therefor be deleted; in lines 37-39, "internal supply voltage becomes larger without decreasing in proportion to an enlargement of said magnitude of said external supply voltage" is vague, confusing and apparently misdescriptive and should apparently read as "internal supply voltage up to said third rate becomes larger without decreasing as the magnitude of said external supply voltage increases".

In claim 23: in lines 26-27, "not smaller but" is redundant and should therefor be deleted; in lines 31-33, "internal supply voltage becomes larger without decreasing in proportion to an enlargement of said magnitude of said external supply voltage" is vague, confusing and apparently misdescriptive and should apparently read as "internal supply voltage up to said third rate becomes larger without decreasing as the magnitude of said external supply voltage increases".

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 7, 9-11, 13, 15, 17, 18 and 20-70 are rejected under 35 U.S.C. § 103 as being unpatentable over Alaspa.

Reference is hereby made to paragraph 4 of the Office action mailed on 1/13/93 as paper no. 18 for an exposition of this rejection.

6. Claims 69 and 70 are rejected under 35 U.S.C. § 103 as being unpatentable over Alaspa as applied to claims 20 and 23 above, and further in view of Takanishi et al.

Reference is hereby made to paragraph 5 of the Office action mailed on 1/13/93 as paper no. 18 for an exposition of this rejection.

7. Applicant's arguments filed July 13, 1993 have been fully considered but they are not deemed to be persuasive.

Beyond referring to claim language that has been addressed in paragraph 3, above, applicant's arguments all appear to rely on a drawing created by applicant that was included with the arguments and labelled "Fig 3 of Alaspa". Applicant's drawing pointedly modifies Alaspa's Fig. 3 by deleting the broadly rounded downturn (i.e. "second rate") segment between A and B that has been previously specifically noted by the examiner, apparently in order to support all of applicant's arguments that likewise do not recognize the broadly rounded downturn segment.

A copy of the correct Fig. 3 from Alaspa is included with this action, along with a modified version of Alaspa's Fig. 3 that merely includes added labels that draw a correspondance to applicant's terminology. Applicant is requested to explain the purpose of labelling an incorrect drawing as "Fig 3 of Alaspa".

8. Applicant's amendment necessitated the new grounds of rejection.

Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a)

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WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Baker whose telephone number is (703) 305-9681.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

SMB

June 15, 1994



STEPHEN M. BAKER
PRIMARY EXAMINER
GROUP 2300